

UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

OFELIA COLOYAN,) CIV. NO. 03-476 KSC
)
Plaintiff,) DECLARATION OF JACK
vs.) SCHWEIGERT, ESQ.
)
WILLIAM BADUA,)
JEFFERY OMAI,)
SPENCER ANDERSON,)
NEIL PANG,)
and DOES 5-10;)
)
Defendants.)

DECLARATION OF JACK SCHWEIGERT, ESQ.

I, Jack Schweigert, declare as follows:

1. I am the lead counsel for Plaintiff in this case.
2. Attached hereto as Exhibit 1 is a true and correct copy of Dr.

Eliashof's letter to me that he was unable to respond to my request regarding the names of those plaintiffs versus the names of those defendants he had given IME's to in the previous 4 year period.

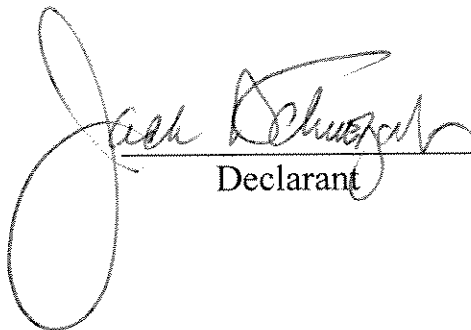
3. Attached hereto as Exhibit 2 is a true and correct copy of the engagement letter dated June 29, 2005 whereby the City hired Dr. Eliashof for this case given to me by Dr. Eliashof as part of his record and file in accordance with my request of him during his deposition.

4. Attached hereto as Exhibit 3 is a true and correct copy of Dr. Eliashof's notice of informed consent Dr. Eliashof had Ms. Coloyan sign.

5. Attached hereto as Exhibit 4 is a true and correct copy of a fax transmittal with attachment to Dr. Eliashof from Attorney Kawai setting out all her questions and including notes for those questions she said she needed to discuss his answers prior to the deposition then set for February 23, 2006.

I declare under penalty of perjury the foregoing statements are true and correct.

Executed in Honolulu, this 7th day of March, 2006.


Declarant